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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/630,753

08/02/2000

David C. Taylor

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08/17/2005

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EXAMINER

NGUYEN, CUONG H

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/630,753	<b>Applicant(s)</b> TAYLOR ET AL.	
	<b>Examiner</b> CUONG H. NGUYEN	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21,23-28 and 41-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21,23-28 and 41-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Status of the Claims***

1. This Office Action is the answer to the Amendment received on 5/10/2005. Claims 21, 23-28, and 41-53 are pending; claims 1-20, 22, and 29-40 have been canceled.

***Response to Amendment***

2. Applicants' arguments with respect to previous pending claims have been considered but are moot in view of the new ground(s) of rejection. The examiner has found that a new reference of Driscoll (US Pat. 5,576,954) in combination with Maynard (US Pat. 6,175,830) suggest amended limitations of claims 21, 41, and 51. The words of "micro-context" or "macro-context" may not necessary be in a reference; as long as an equivalent term achieving by same claimed process or having same claimed functions it would meet the obviousness requirement. Thus, the application is still set in a condition for rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

3. **Claims 21, 23-26, 41, 48, and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maynard, (US Patent No. 6,175,830), in view of Driscoll (US Pat. 5,576,954).**

A. As to Claims 21, 41, and 51-52: Maynard teaches a method which including information retrieval/extracting information desired by a user from an Internet source/web page (see Maynard, the Abstract), more specifically web pages resident on the Internet which are interest to users from the search results (see Maynard, the Abstract), an input module to acquire text from

a user (see Maynard, col. 13 lines 53-58); Maynard teaches a search engine, more specifically user entering the search query element, further it is noted that Maynard teaches various modules for example index module, search module, break module (see Maynard, Fig. 1,4) may include search word/phrases through user interface (a user interface corresponds to an input module for acquiring text from a user); a filtering module programmed to determine a micro-context relevant to the text (see Maynard, col. 13 lines 13-17, and lines 25-29; and col. 14 lines 4-15, and lines 44-53). Maynard teaches a search engine capable of not only searches wide varieties of information/databases, but also matching information based on user input including optional filter that will filter out web sites that corresponds to filtering module; Maynard utilizes a search query to search through database records to find a database records element, matching the words or phrases in the search query (see Maynard, col. 14 lines 4-7). Maynard teaches a break module that break-up information into finite elements (e.g., paragraphs, sections, sub-sections, segments – see Maynard col. 1 lines 57-64) corresponds to matching a relevant micro-context, and a filtering module further programmed to locate information corresponding to the micro-context in a database (see Maynard, col. 2 lines 21-24, and lines 60-66, and col. 14 lines 44-53); Maynard teaches about locating related information by matching the micro-context in a database corresponds to match between search word/phrase and the non-common word/phrase contained within the database records (see Maynard, col. 14 lines 44-53).

Maynard also teaches a system which including micro-context is independent of a hierarchical ordering of the database (see Maynard, col. 6 lines 6-13).

Maynard also teaches about Internet information/link may be a finite element for matching the specific search requested, therefore, micro-context is integral part of Maynard's information retrieval system (i.e., a micro-context is merely a construction module to combine

words in the text to form the information characteristic (see Maynard, col. 4 lines 6-13, col. 14 lines 4-28, and col. 4 lines 17-26).

Maynard does not disclose that “a micro-context (deriving by a processor) comprising a coherent group of words corresponding to the meaning of the text”.

However, in the same field of endeavour, Driscoll suggests about using a related group of words corresponding to the meaning of the text (see Driscoll, col. 1 lines 45-52).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Driscoll’s teachings and Maynard for a micro-context (deriving by a processor) comprising a coherent group of words corresponding to the meaning of the text for a benefit of collecting a reduced number of coherent, meaningful hits in searching the Internet, and avoiding a problem associated with disambiguation.

B. As to claims 23-24: Maynard also teaches dividing the informational resources into finite elements, these finite elements corresponds to micro-context information a context comparison module to determine a macro-context relevant to the information by comparing the micro-context to the corpus (see Maynard, col. 3 lines 64 to col. 4 lines 5, lines 33-51, and col. 6 lines 30-39), (please note that macro-context corresponds to web pages because web pages containing tags, links, words, phrases; finite elements/micro-context to the corpus corresponds to embedded categorical tags in database (see Maynard, col. 3 lines 64-67, and col. 4 lines 1-5; an information matching module to locate information corresponding to the macro-context in the database (see Maynard, col. 3 lines 64 to col. 4 lines 5; and col. 4 lines 33-51).

Maynard also teaches that database being contextually indexed for searching by context (see Maynard, col. 6 lines 30-39); an index module is used in a search database (see Maynard, Fig. 1, and col. 6 lines 30-33).

C. As to claim 25: Maynard also teaches a module to receive the information and present the search result information to a user (it may be a common presentation format or a “popular” /familiar/user-friendly presentation format (see Maynard, Fig. 1, col. 5 lines 40-52, and col. 12 lines 34-38).

D. As to claim 51: The examiner respectfully submits that this claim contains analogous limitations of rejected claim 21; therefore, rationales and references set forth are also applied.

In addition to claim 41’s limitations, Maynard also teaches about operating independently from the schema to locate a subset of the information in the database (this claim is directed to merely matching input text within categorical tags (research-centric)/ within finite elements – see Maynard, col. 13 lines 53 to col. 14 lines 3, and col. 6 lines 9-13); Maynard teaches a system which including database comprises a subset to store information for future access by a user (see Maynard, col. 13 lines 40-49).

E. As to claim 52: Maynard determines a micro-context of the textual query by assembling selected and coherent words from the textual query (see Maynard, col. 3 lines 53-58).

F. As to claims 26, 48: Maynard also teaches a method using a filtering module comprises a context construction module to combine words in the text to form the micro-context being a characteristic of that information (see Maynard, col. 3 lines 64-67, col. 4 lines 1-5, col. 13 lines 13-17, lines 25-29, and col. 14 lines 4-15, and lines 44-53).

**4. Claims 27-28, 42-47, 49-50, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maynard (US Pat. 6,175,830), in view of Driscoll (US Pat. 5,576,954), and in view of Sheard et al., (US Pat.6,453,356).**

A. As to claims 27, 42-45, and 47, 49-50, 53:

The rationales and references for a rejection of claim 21 are incorporated.

Maynard or Driscoll do not disclose of tracking a user's input (e.g., examining a user's prior activity/keyboarding to know his navigation path/surfing strategy).

However, Sheard et al. suggest that idea (see Shear et al., col. 3 lines 7-9, and claim 7).

The examiner also respectfully submits that using/reviewing previous data/results/profile or patterns from prior computer searches (after tracking) have been widely applied to avoid a problem of typing again and again, and saving time of a user.

B. As to claim 46: Maynard does not disclose that "a micro-context (deriving by a processor) comprising a coherent group of words corresponding to the meaning of the text".

However, in the same field of endeavour, Driscoll suggests about using a related group of words corresponding to the meaning of the text (see Driscoll, col. 1 lines 45-52).

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Sheard et al., Driscoll's teachings and Maynard for a micro-context (deriving by a processor) comprising a coherent group of words corresponding to the meaning of the text for a benefit of collecting a reduced number of coherent, meaningful hits in searching the Internet, and avoiding a problem associated with disambiguation.

C. As to claim 28: Maynard teaches a system which including mining module to add/adding new data to the database by selectively retrieving the new data from the source (see Maynard col. 6 lines 13-18; and col. 13 lines 25-29, and lines 49-52). The examiner respectfully submits that periodically updating data have been widely used to provide latest information to a user.

It would have been obvious for one of the ordinary skills in the art at the time of applicant's invention would have been motivated to combine Maynard, Dricoll, and Sheard et al.'s applications for tracking a user's input on the Internet as pattern-recognition technique

because that would have allowed a user to review, retrieval, modify, and display previous patterns of input data in the future.

### **Conclusion**

5. Claims 21, 23-28, and 41-53 are unpatentable. Applicants' amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 7:30 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661